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## UNITED STATES OF AMERICA JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

CHAIRMAN: Judge Wm. Terrell Hodges United States District Court Middle District of Florida

MEMBERS: Judge John F. Keenan United States District Court Southern District of New York

Judge D. Lowell Jensen United States District Court Northern District of California

Judge J. Frederick Motz United States District Court District of Maryland

Judge Robert L. Miller, Jr. United States District Court Northern District of Indiana

Judge Kathryn H. Vratil United States District Court District of Kansas

Judge David R. Hansen United States Court of Appeals Eighth Circuit

DIRECT REPLY TO:

Michael J. Beck Clerk of the Panel One Columbus Circle, NE Thurgood Marshall Federal Judiciary Building Room G-255, North Lobby Washington, D.C. 20002

Telephone: [202] 502-2800 Fax: [202] 502-2888

http://www.jpml.uscourts.gov

May 17, 2006

Robert C. Heinemann, Clerk 130 United States Courthouse 225 Cadman Plaza East Brooklyn, NY 11201-1818

Re: MDL-1596 -- In re Zyprexa Products Liability Litigation

(See Attached Schedule of CTO-49)

Dear Mr. Heinemann:

I am enclosing a certified copy and one additional copy of a conditional transfer order filed by the Panel in the above-captioned matter on May 1, 2006. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred."

A list of involved counsel is attached.

Very truly,

Michael J. Beck

Clerk of the Panel

Mecca S. Carter Deputy Clerk

Attachment

Transferee Judge:

Judge Jack B. Weinstein (See Attached List of Judges)

Transferor Judges: Transferor Clerk:

Richard W. Wieking

JPML Form 36

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Case 1:04-md-01596-JBW-RLM CERTIFIED TRUE COPY E NIDICIAL PANEL

AUTHORN PARTY ON AUTHORITY OF CONTRACTOR 2006 CLERK'S OF HOS

Filed 05/19/2006

DOCKET NO. 1596

## BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

### IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION

(SEE ATTACHED SCHEDULE)

## CONDITIONAL TRANSFER ORDER (CTO-49)

On April 14, 2004, the Panel transferred six civil actions to the United States District Court for the Eastern District of New York for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 548 additional actions have been transferred to the Eastern District of New York. With the consent of that court, all such actions have been assigned to the Honorable Jack B. Weinstein.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Eastern District of New York and assigned to Judge Weinstein.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of New York for the reasons stated in the order of April 14, 2004, 314 F.Supp.2d 1380 (J.P.M.L. 2004), and, with the consent of that court, assigned to the Honorable Jack B. Weinstein.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of New York. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

inasmuch as no objection is pending at this time, th stay is lifted. MAY 1 7 2006 TIDISTRICT LITIGATION

FOR THE PANEL:

Michael J. Beck Clerk of the Panel

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## **SCHEDULE CTO-49 - TAG-ALONG ACTIONS DOCKET NO. 1596** IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION

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CAN 3 06-1204 455	Frank Giacomazzo v. Eli Lilly & Co.
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CAN 3 06-1231 PST	Patrick Callaway v. Eli Lilly & Co.
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CAN 3 06-1237 MOT	Charles Coffman v. Eli Lilly & Co.
CAN 3 06-1239	Lauree Ward v. Eli Lilly & Co.
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CAN 3 06-1240 TEN	Patricia Pirotta v. Eli Lilly & Co.
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CAN 3 06-1242 W	Jo Marie Santi v. Eli Lilly & Co.
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CAN 3 06-1245 MJJ	Cox v. Eli Lilly & Co.
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CAN 4 86-2384	Saundra Burns, et al. v. Eli Lilly & Co., et al. Opposed 5/17/06

## INVOLVED COUNSEL LIST (CTO-49) DOCKET NO. 1596 IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION

Samuel J. Abate, Jr. McCarter & English, L.L.P. 245 Park Avenue, 27th Floor New York, NY 10167

Thomas F. Campion, Jr. Drinker, Biddle & Reath, L.L.P. 500 Campus Drive Florham Park, NJ 07932-1047

Phillip K. Cohen Murphy, Rosen & Cohen 100 Wilshire Boulevard Suite 700 Santa Monica, CA 90401-1142

Colleen T. Davies Reed Smith, LLP 1999 Harrison Street, Suite 2400 P.O. Box 2084 Oakland, CA 94604-2084

Joshua C. Ezrin Alexander, Hawes & Audet, LLP 300 Montgomery Street Suite 400 San Francisco, CA 94104

Nina M. Gussack Pepper, Hamilton, LLP 3000 Two Logan Square 18th & Arch Street Philadelphia, PA 19103-2799

Jeffrey A. Kaiser Levin, Simes & Kaiser, LLP 1 Bush Street 14th Floor San Francisco, CA 94104-4425

Adel Nadji Alexander, Hawes & Audet, LLP 221 Main Street Suite 1460 San Francisco, CA 94105

Christopher A. Seeger Seeger Weiss, LLP 550 Broad Street Suite 920 Newark, NJ 07102 E. G. Stanley 728 Texas Street Fairfield, CA 94533

Jeffrey M. Tillotson Lynn, Tillotston & Pinker, LLP 750 N. St. Paul Street Suite 1400 Dallas, TX 75201

James M. Wood Reed Smith, LLP 1999 Harrison Street, 22<sup>nd</sup> Floor Oakland, CA 94612

# INVOLVED JUDGES LIST (CTO-49) DOCKET NO. 1596 IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION

Hon. William H. Alsup U.S. District Judge Phillip Burton U.S. Courthouse Box 36060 450 Golden Gate Avenue San Francisco, CA 94102-3489

Hon. Saundra Brown Armstrong U.S. District Judge 400-S Ronald V. Dellums Federal Building 1301 Clay Street Oakland, CA 94612-5212

Hon. Wayne D. Brazil United States District Court Ronald V. Dellums Federal Building 3rd Floor 1301 Clay Street Oakland, CA 94612-5217

Hon. Charles R. Breyer
U.S. District Judge
Phillip Burton U.S. Courthouse
Suite 19-6618
450 Golden Gate Avenue
San Francisco, CA 94102-3434

Hon. Edward M. Chen U.S. Magistrate Judge Phill Burton U.S. Courthouse 450 Golden Gate Avenue Box 36060 San Francisco, CA 94102

Hon. Maxine M. Chesney U.S. District Judge Phillip Burton U.S. Courthouse 19th Floor 450 Golden Gate Avenue San Francisco, CA 94102-3434

Hon. Samuel Conti Senior U.S. District Judge U.S. District Court P.O. Box 36060 San Francisco, CA 94102-3434

Hon. Phyllis J. Hamilton\* U.S. District Judge Phillip Burton U.S. Courthouse 450 Golden Gate Avenue Box 36060 San Francisco, CA 94102-3489 Hon. Thelton E. Henderson Senior U.S. District Judge 19-5356 Phillip Burton U.S. Courthouse 450 Golden Gate Avenue San Francisco, CA 94102-3489

Hon. Susan Yvonne Illston U.S. District Judge Phillip Burton U.S. Courthouse Suite 19-5424 450 Golden Gate Avenue San Francisco, CA 94102-3434

Hon, Maria-Elena James U.S. Magistrate Judge 15-5698 Phillip Burton U.S. Courthouse 450 Golden Gate Avenue San Francisco, CA 94102

Hon. Martin J. Jenkins U.S. District Judge Phillip Burton U.S. Courthouse Box 36060 450 Golden Gate Ave. San Francisco, CA 94102-3434

Hon, Elizabeth D. Laporte U.S. Magistrate Judge Phillip Burton U.S. Courthouse Box 36060 450 Golden Gate Avenue, 15th Floor San Francisco, CA 94102

Hon. James L. Larson
U.S. Magistrate Judge
Phillip Burton U.S. Courthouse
450 Golden Gate Avenue
P.O. Box 36060
San Francisco, CA 94102-3489

Hon. Marilyn Hall Patel U.S. District Judge Phillip Burton U.S. Courthouse Box 36060 450 Golden Gate Avenue San Francisco, CA 94102-3661

Hon. Joseph C. Spero U.S. Magistrate Judge Philip Burton U.S. Courthouse Box 36060 450 Golden Gate Avenue San Francisco, CA 94102-3489 Hon. Jeffrey S. White U.S. District Judge Phillip Burton U.S. Courthouse 450 Golden Gate Avenue Box 36060 San Francisco, CA 94102-3489

Hon. Claudia Wilken
U.S. District Judge
Ronald V. Dellums Federal Building
Suite 400 South
1301 Clay Street
Oakland, CA 94612-5212

Hon. Bernard Zimmerman U.S. Magistrate Judge Philip Burton U.S. Courthouse 450 Golden Gate Avenue San Francisco, CA 94102